

New Hampshire State Code of Ethics

RSA 21-G: 21

21-G:21 Definitions. In this subdivision:

I “Agency” means any executive branch agency, department, division, board, commission, or entity of the executive branch.

II. “Conflict of interest” means a situation, circumstance, or financial interest which has the potential to cause a private interest to interfere with the proper exercise of a public duty.

III. “Gift” means any money or thing of value received in excess of \$50 or in excess of \$250 in aggregate from any single source during any calendar year. Gift shall not include contributions as defined in RSA 664; a commercially reasonable loan made in the ordinary course of business; meals and beverages consumed in the course of official business; ceremonial gifts or awards which have insignificant monetary value; unsolicited gifts of nominal value or trivial items of informational value; reasonable expenses for food, travel, and lodging for an in-state meeting at which the elected official or public employee participates in a panel or a speaking engagement; gifts of tickets or free admission extended to an elected official to attend charitable or political events, if the purpose of such gift or admission is a courtesy customarily extended to the office; gifts that are purely private and personal in nature; or gifts from relatives by blood or marriage, or a member of the same household.

IV. “Public employee” means any person, including but not limited to a classified employee, who is acting on behalf of the governor or an agency while engaged in state business.

V. “Public official” means a commissioned, unclassified, or nonclassified executive branch employee, but shall not include any commissioned, unclassified, or nonclassified employee elected by the legislature.

21-G:22 Conflict of Interest. Public employees and public officials shall avoid conflicts of interest. Public employees and public officials shall not participate in any matter in which they, or their spouse or dependents, have a private interest which may directly or indirectly affect or influence the performance of their duties.

21-G:23 Misuse of Position. No public official and no public employee shall disclose or use confidential or privileged information for personal benefit or for financial gain. Public officials and public employees shall not use their positions with the government to secure privileges or advantages for themselves, which are not generally available to governmental employees, or to secure governmental privileges or advantages for others.

21-G:24 Acceptance of Campaign Contributions. A public official or a public employee who is a candidate for an elective office that is not subject to the reporting requirements of RSA 664 and who accepts a financial contribution or other form of political contribution from an entity which is or is likely to become subject to that public official’s or public employee’s duties shall make a disclosure of such contributions to the secretary of state within 5 days of receipt of such contributions. The disclosure shall be in writing and on such form as the secretary of state shall prescribe.

21-G:25 Acceptance and Giving of Gifts. Any public employee, public official, and any public employee’s or public official’s spouse or dependent who gives, solicits, accepts, or agrees to accept a gift from a person who is subject to or likely to become subject to or interested in any matter or action pending before or contemplated by the public employee or official or by the governmental body with which that employee or official is affiliated shall disclose the gift in the statement of financial disclosure filed under RSA 21-G:28. Nothing in this section shall be construed to prohibit gifts made to the state of New Hampshire and accepted in accordance with the law.

21-G:26 Employment Restrictions. For 6 months after leaving office or employment with the state, no public official shall appear as a lobbyist to promote or oppose directly any specific legislation pending or proposed before the general court on behalf of any matter over which that official had personal and direct responsibility while in state government.

21-G:27 Supplemental State Agency Ethical Codes. In addition to this code, each agency may promulgate a supplemental ethics code to address issues specific to that agency. In the event of a conflict, the provisions of this code shall supersede the agency code. To the extent that this code or an ethics code adopted by an agency shall apply to classified employees, this code, or an agency code, shall be interpreted to be consistent with the provisions of the classified employees’ collective bargaining agreement.

21-G:28 Financial Disclosure.

I.(a) To ensure that the performance of official duties does not give rise to a conflict of interest, the following public officials shall file with the secretary of state a statement of financial disclosure in such form as the secretary of state may prescribe:

(1) All agency heads; and

(2) Any public official designated, due to the responsibilities of the position, by the agency head.

(b) The agency head shall file with the secretary of state an organizational chart identifying the names, titles, and position numbers of officials required to file a statement of financial disclosure.

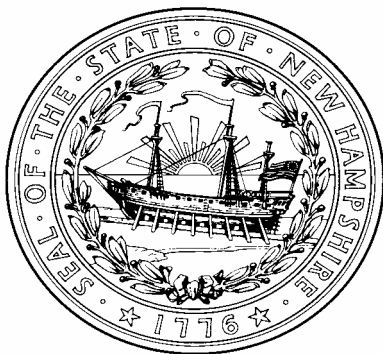
II. The initial statements of financial disclosure and organizational charts required under this section shall be filed by July 1, 2005. Thereafter, revised statements of financial disclosure and organizational charts shall be filed immediately upon any change of status. New agency heads shall file a statement of financial disclosure no later than the first day of service.

III. Statements of financial disclosure and organizational charts filed with the secretary of state shall be public documents.

21-G:29 Penalty.

I. Any person who knowingly or willfully violates this subdivision shall be guilty of a misdemeanor and may be subject to termination.

II. In the case of any person convicted under this section, the court may order restitution



STATE OF NEW HAMPSHIRE CODE OF ETHICS

STATEMENT OF FINANCIAL DISCLOSURE

(To be filed by all agency heads and any
public official designated by the agency
head by July 1, 2005)

(RSA 21-G)

INSTRUCTIONS

Please type or print all information.

If additional pages are needed to complete the Statement of Financial Disclosure, please attach those sheets to the statement and label with the corresponding number.

Initial Statements of Financial Disclosure and organizational charts must be filed with the Secretary of State by July 1, 2005. Statements must have original signatures. In the event of a change of status, a new financial disclosure form must be filed.

1. Name _____

2. Office Held _____

3. Home Telephone _____ Business Telephone _____

4. Mailing Address _____
(Street or P.O. Box) City/Town Zip

5. Term of Office _____

6. Disclose each source of your income or your spouse's income which totals more than \$5,000 per year. You are not required to disclose the names of individual clients or patients or the dollar amount of the income received. The general source such as "professional service" must be disclosed.

SOURCE	PAYMENT TO WHOM

(Attach additional sheets if necessary)

7. Disclose the specific location and particular use of any real estate, other than owner occupied residential, in which you or your spouse has a legal or beneficial interest and which has a fair market value of \$2,500 or more, and which is located in this state or any adjacent state.

SPECIFIC LOCATION (Provide street address or legal description)	NATURE OF USE(S) (Unimproved vacant land, agricultural land, rental, commercial building, apartments, single family, etc.)

(Attach additional sheets if necessary)

8. Disclose the name of each creditor to whom you or your spouse owes \$5,000 or more. You are not required to disclose a personal mortgage debt, a personal car loan or a personal educational loan.

DEBTOR	CREDITOR

(Attach additional sheets if necessary)

9. List each business entity in which you or your spouse or a member of your household is involved in as a trustee, beneficiary or a trust, director, officer, owner (whole or in part), limited or general partner or holder of any class of stock or security representing one (1) percent or more of the total outstanding stock or securities issued by the business entity.

HELD BY	BUSINESS ENTITY

(Attach additional sheets if necessary)

I DECLARE THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS TRUE, CORRECT AND COMPLETE. (RSA 641:3)

SIGNATURE	DATE
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